

SENATE BILL 217  
By Miller

AN ACT to amend Tennessee Code Annotated, Section 49-2-301, relative to elected superintendents of schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-301, is amended by adding the following new subsection:

(e)

(1) Notwithstanding the provisions of subsections (a), or any other provisions of Chapter 535 of the Public Acts of 1992 to the contrary, any county or city operating a school system may reestablish the office of elected school superintendent by a two-thirds (2/3) vote of the membership of the county or city governing body. The office shall be filled by popular vote for a term of four (4) years. Elections shall be held at the regular August election. The person elected shall take office September 1 following the election. The elected school superintendent shall have all the powers provided to directors of schools and any reference to "director of schools" shall be deemed to be a reference to "superintendent" in those counties or cities which restore this office.

(2)

(A) If the office of elected school superintendent is reestablished, this shall not act to abridge the contractual term of any appointed director of schools. If a county or city chooses to conduct an election prior to the expiration of a contract, it is the responsibility of the county or city

governing body to satisfy any contractual obligation to an incumbent director of schools.

(B) No board of education shall appoint or extend the contract or term of a director of public schools after a county or city re-establishes the office of superintendent, but may appoint a qualified person as acting director until the office of superintendent is filled by the voters.

(3) An elected superintendent shall meet the following requirements:

(A) Be a person of literary attainment and experience in the art of teaching and school administration, and possess a license of qualification issued by the state board of education prior to the superintendent's election; provided, that no such license shall be revoked without a hearing to the holder as herein provided.

(B) The state board of education shall establish minimum requirements for license of qualifications for a superintendent, which shall include, but not be limited to, the following:

(i) The applicant shall hold a teacher's professional license with endorsement as principal and/or supervisor of instruction;

(ii) The applicant shall hold a master's degree with a major in education administration to include study areas such as:

(a) School organization and administration;

(b) Supervision, curriculum development and evaluation;

(c) School finance, housing, and transportation;

(d) School and communication relationships; and

(e) Technique of problem solving by group  
process; and

(iii) The applicant shall have had five (5) years' experience  
to include both teaching and/or administrative experience.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.